

AMENDED IN ASSEMBLY APRIL 12, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2767

Introduced by Assembly Member Lopez

February 19, 2016

An act to amend Section 16010.4 of the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 2767, as amended, Lopez. Foster care: caregivers: information.

Existing law ~~provides~~ *states the findings and declarations of the Legislature* that a caregiver of a foster child should have certain basic information in order to provide for the needs of children placed in his or her care, including the name, mailing address, telephone number, and facsimile number of the child's social worker, the social worker's supervisor, the child's attorney, and the court-appointed special advocate, if applicable.

This bill would additionally provide that caregivers should also be provided with the email address of the child's social worker, the social worker's supervisor, the child's attorney, and the court-appointed special advocate, if applicable.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 16010.4 of the Welfare and Institutions Code is amended to read:

16010.4. The Legislature finds and declares all of the following:

(a) The State of California is guardian to roughly 60,000 children in foster care. *As of 2014*, California has a disproportionately high number of children in foster care. While the state is home to 12 percent of the nation's population, it guards over ~~20~~ 15 percent of the nation's children in its foster care system. ~~Thirty-five~~ *Thirty-three* percent of foster children live with relatives.

(b) Foster parents are one of the most important sources of information about the children in their care. Courts, lawyers, and social workers should have the benefit of caregivers' perceptions. Both federal and state law recognize the importance of foster parents' participation in juvenile court proceedings. Federal law requires that foster parents and other caregivers receive expanded opportunities for notice, the right to participate in dependency court review and permanency hearings, and the right to communicate concerns to the courts. State law similarly provides that caregivers may submit their concerns to courts in writing.

(c) It is in the children's best interests that their caregivers are privy to important information about them. This information is necessary to obtain social and health services for children, enroll children in school and extracurricular activities, and update social workers and court personnel about important developments affecting foster children.

(d) Most school districts and extracurricular organizations require proof of age before enrolling a child in their programs. Moreover, caregivers are required to obtain a medical appointment for their foster children within the first month of receiving the children into their homes. It would therefore be in both the children's and the caregivers' best interests to be provided with any available medical information, medications and instructions for use, and identifying information about the children upon receiving the children into their homes.

(e) Caregivers should have certain basic information in order to provide for the needs of children placed in their care, including all of the following:

1 (1) The name, mailing address, telephone number, facsimile
2 number, and email address of the child's social worker and the
3 social worker's supervisor.

4 (2) The name, mailing address, telephone number, facsimile
5 number, and email address of the child's attorney and
6 court-appointed special advocate (CASA), if any.

7 (3) The name, address, and department number of the juvenile
8 court in which the child's juvenile court case is pending.

9 (4) The case number assigned to the child's juvenile court case.

10 (5) A copy of the child's birth certificate, passport, or other
11 identifying documentation of age as may be required for enrollment
12 in school and extracurricular activities.

13 (6) The child's State Department of Social Services
14 identification number.

15 (7) The child's Medi-Cal identification number or group health
16 insurance plan number.

17 (8) Medications or treatments in effect for the child at the time
18 of placement, and instructions for their use.

19 (9) A plan outlining the child's needs and services, including
20 information on family and sibling visitation.

21 (f) Caregivers should have knowledge of all of the following:

22 (1) Their right to receive notice of all review and permanency
23 hearings concerning the child during the placement.

24 (2) Their right to attend those hearings or submit information
25 they deem relevant to the court in writing.

26 (3) The "Caregiver Information Form" (Judicial Council Form
27 JV-290), which allows the caregiver to provide information directly
28 to the court.

29 (4) Information about and referrals to any existing services,
30 including transportation, translation, training, forms, and other
31 available services.

32 (5) The caregiver's obligation to cooperate with any
33 reunification, concurrent, or permanent planning for the child.

34 (6) Any known siblings or half-siblings of the child, whether
35 the child has, expects, or desires to have contact or visitation with
36 any or all siblings, and how and when caregivers facilitate the
37 contact or visitation.

- 1 (g) Courts should know, at the earliest possible date, the interest
- 2 of the caretaker in providing legal permanency for the child.

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